

BRATENAHL VILLAGE
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BRATENAHL, OHIO 44108
(216) 383-0468

COMMITTEE OF THE WHOLE MEETING

JANUARY 19, 2022
4:30 p.m.

KEITH BENJAMIN, PRESIDENT PRO TEM
JOYCE BURKE-JONES
TRACY HOEFLING
GINA HUFFMAN
TOM McDONALD
ROD TAYLOR

DAVID J. MATTY, ESQ.
NANCY L. MOLNAR, RPR, CLR

3

1 MR. McDONALD: So approve.
2 MR. BENJAMIN: Do we have a motion?
3 MR. McDONALD: So approve.
4 MR. BENJAMIN: Second?
5 MS. HOEFLING: Second.
6 MR. BENJAMIN: Moved and second. Roll
7 call, please.
8 MS. COOKS: Mr. Benjamin?
9 MR. BENJAMIN: Here. I mean, aye.
10 MS. COOKS: Ms. Burke-Jones?
11 MS. BURKE-JONES: I abstain because I
12 was not there.
13 MS. COOKS: Ms. Hoefling cannot vote.
14 MR. BENJAMIN: I think you also abstain.
15 MS. HOEFLING: I abstain because I was
16 not on Council at that time.
17 MS. COOKS: Mr. McDonald?
18 MR. McDONALD: Aye.
19 MS. COOKS: Mr. Taylor?
20 MR. TAYLOR: Aye.
21 MR. MATTY: Well, you have to redo that.
22 You only have three votes. So maybe is
23 Councilwoman Huffman coming?
24 MR. BENJAMIN: Yes.
25 MR. MATTY: We can do that later. Put

2

1 MR. BENJAMIN: Good evening. I'm your
2 guest host. Happy New Year. It is Wednesday,
3 January 19, 2022, at 4:30 p.m. And this is the
4 Bratenahl Village Council Committee of the Whole
5 meeting.
6 And, Madam Clerk, if you will call the
7 roll, please.
8 MS. COOKS: Thank you. Mr. Benjamin?
9 MR. BENJAMIN: Here.
10 MS. COOKS: Ms. Burke-Jones?
11 MS. BURKE-JONES: Here.
12 MS. COOKS: Ms. Hoefling?
13 MS. HOEFLING: Yes.
14 MS. COOKS: Ms. Huffman? Mr. McDonald?
15 MR. McDONALD: Here.
16 MS. COOKS: Mr. Taylor?
17 MR. TAYLOR: Here.
18 MR. BENJAMIN: All here, except Ms.
19 Huffman.
20 Next on the agenda is approval of prior
21 meeting minutes. There were meeting minutes
22 sent, emailed to us for the December 15, 2021
23 Committee of the Whole meeting.
24 Are members of Council ready to consider
25 those for passage?

4

1 that on the agenda for later, please.
2 MR. BENJAMIN: Okay. Next on the agenda
3 is the motion to move into executive session for
4 the purposes of discussing pending litigation.
5 Do I have a motion to move into
6 executive session?
7 MR. McDONALD: So move.
8 MR. TAYLOR: Second.
9 MR. BENJAMIN: Moved and seconded. Roll
10 call, please.
11 MS. COOKS: Mr. Benjamin?
12 MR. BENJAMIN: Aye.
13 MS. COOKS: Ms. Burke-Jones?
14 MS. BURKE-JONES: Aye.
15 MS. COOKS: Ms. Hoefling?
16 MS. HOEFLING: Yes.
17 MS. COOKS: Mr. McDonald?
18 MR. McDONALD: Aye.
19 MS. COOKS: Mr. Taylor?
20 MR. TAYLOR: Aye.
21 MR. MATTY: Mr. President Pro Tem, I'd
22 ask for Chief LoBello to attend the executive
23 session.
24 MR. BENJAMIN: Yes, absolutely.
25 MR. McDONALD: Is your mic on?

1 MR. BENJAMIN: So we're going to adjourn
2 to executive session for probably no more than
3 one hour. And we will back and resume the
4 Committee of the Whole meeting.

5 (Whereupon, Council moved into executive
6 session at 4:34 p.m.)

7 *****
8 *****

9 (Whereupon, Council moved back into
10 public session at 5:51 p.m.)

11 MR. BENJAMIN: Okay. Welcome back. Can
12 I have a motion to adjourn the executive session?

13 MR. McDONALD: So move.

14 MR. TAYLOR: Second.

15 MR. BENJAMIN: It's been moved and
16 seconded. Roll call?

17 MS. COOKS: Mr. Benjamin?

18 MR. BENJAMIN: Aye.

19 MS. COOKS: Ms. Burke-Jones?

20 MS. BURKE-JONES: Aye.

21 MS. COOKS: Ms. Hoefling?

22 MS. HOEFLING: Aye.

23 MS. COOKS: Ms. Huffman?

24 MS. HUFFMAN: Aye.

25 MS. COOKS: Mr. McDonald?

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1 MR. McDONALD: Aye.

2 MS. COOKS: Mr. Taylor?

3 MR. TAYLOR: Aye.

4 MR. BENJAMIN: Thank you. Let the
5 record show that Councilwoman Huffman has joined
6 us. And we will now move on to other agenda
7 items on our Committee of the Whole meeting.

8 Do we also need a motion to enter back
9 into Committee of the Whole?

10 MR. MATTY: Yes.

11 MR. BENJAMIN: Now I'll ask for a notion
12 to enter back into the Committee of the Whole.

13 MS. BURKE-JONES: So move.

14 MS. HOEFLING: Second.

15 MR. BENJAMIN: Moved and second. Roll
16 call, please.

17 MS. COOKS: Mr. Benjamin?

18 MR. BENJAMIN: Aye.

19 MS. COOKS: Ms. Burke-Jones?

20 MS. BURKE-JONES: Aye.

21 MS. COOKS: Ms. Hoefling?

22 MS. HOEFLING: Aye.

23 MS. COOKS: Ms. Huffman?

24 MS. HUFFMAN: Aye.

25 MS. COOKS: Mr. McDonald?

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1 MR. McDONALD: Aye.

2 MS. COOKS: Mr. Taylor?

3 MS. TAYLOR: Aye.

4 MR. BENJAMIN: Next on the agenda we
5 delayed from earlier in this meeting, which was
6 the approval of the December 15, 2021 minutes of
7 the Committee of the Whole meeting.

8 Can I have a motion to approve those
9 minutes?

10 MR. McDONALD: So move.

11 MS. BURKE-JONES: Second.

12 MR. BENJAMIN: It's been moved and
13 seconded. Roll call, please.

14 MS. COOKS: Mr. Benjamin?

15 MR. BENJAMIN: Aye.

16 MS. COOKS: Ms. Huffman?

17 MS. HUFFMAN: Aye.

18 MS. COOKS: Mr. McDonald?

19 MR. McDONALD: Aye.

20 MS. COOKS: Mr. Taylor?

21 MR. TAYLOR: Aye.

22 MR. BENJAMIN: Thank you very much.

23 Next on the agenda is presentation from Brian
24 Thunberg, who's with the Regional Income Tax
25 Agency. For those of you in attendance tonight,

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1 for many years we have been using CCA to collect
2 our local income taxes. And thanks to the
3 efforts of corporate counsel, Councilmember Jim
4 Puffenberger the last couple years, last year we
5 moved to joined the Regional Income Tax Agency to
6 collect our income taxes. I can say that the
7 process for me personally, the process has been
8 much easier, so thank you.

9 So I will hand it over to Mr. Thunberg
10 to make a presentation.

11 MR. THUNBERG: Thank you. First and
12 foremost, I wanted to say thank you to Diana and
13 Mr. Puffenberger for all the work that they put
14 into the transition to RITA over the last year.

15 I also have with me in the audience Dawn
16 Kuznik who is part of our member services
17 department. So I wanted to do is take a couple
18 of minutes and just share with you our first year
19 together and our partnership. And while the
20 transition went very well, we saw some great
21 things happen with the Village of Bratenahl over
22 the first year.

23 I put some notes together. One of the
24 things that I really wanted to point out is,
25 number one, increase in collections from year to

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1 year. I can tell you that from 2019 through
2 2021, the Village has seen an uptick in
3 collections of 34 percent, so that's absolutely
4 amazing. And there's more good things to come.

5 Secondly, I wanted to touch base on new
6 accounts. Folks that we may have not or you may
7 have not had before on your tax rolls, but we've
8 been able to identify those folks using
9 registration processes, also using our Federal
10 Tax Information.

11 With that, we actually identified 136
12 new accounts this year of people who were never
13 on your tax rolls before or possibly that they
14 were delinquent for several other years that have
15 never filed and paid, which those continuing
16 programs are continuing to move on as we go into
17 2022.

18 MS. HOEFLING: Do you attribute that
19 increase to new accounts, that 34 percent?

20 MR. THUNBERG: Not necessarily. What I
21 do attribute that to is I do attribute it to the
22 other programs that we have, which are our
23 delinquent programs where we send out nonfiler
24 letters. And we also are involved in litigation
25 with some taxpayers as well.

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1 I attribute that to finding new money.
2 And that's basically from an FTI, Federal Tax
3 Information. That's essentially what we've been
4 able to do is identify folks who have not filed
5 and paid before. Maybe they've been delinquent
6 several years that have never responded to a
7 nonfiler letter.

8 However, using Federal Tax Information,
9 we have their information on hand. Therefore, we
10 can file the return on their behalf and now we'll
11 know their exact tax liability and we can bill
12 them accordingly.

13 What was new to the Village of Bratenahl
14 is using E services, so electronic filing this
15 year. We have determined that there were 491
16 submissions of E-file taxpayers this year. And
17 basically what that equates to is you have 897
18 folks file a tax return for the Village of
19 Bratenahl. That's 54 percent of your taxpayers
20 were able to use our electronically file systems,
21 file, pay, whether they were to get a refund. If
22 they were entitled to a refund, they were able to
23 do that as well.

24 Again, what we're looking at is we're
25 looking at an increase in collections over years.

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1 As our programs and our compliance programs begin
2 to kick in in 2022, we're going to be able to
3 also add on to those collections. And, again,
4 making sure that Bratenahl is getting all the
5 money that they are entitled to, whether it be
6 from a withholder, whether it be from an
7 individual or other sources of taxpayers who may
8 work in the Village and live elsewhere, such as
9 Schedule C filers having small businesses and
10 whatnot.

11 One of the last things that I wanted to
12 bring to your attention, which I'm sure you do
13 know, but Bratenahl is very unique in the way
14 that your collections come in. 78 percent of
15 your collections come from your residents. So
16 you're very heavily dependent on our residents,
17 which makes our job even more important where
18 we're able to identify those taxpayers and make
19 sure that they're on file and paying and making
20 sure that the Village is getting all of those
21 dollars that are attributed and should be
22 submitted to the Village of Bratenahl.

23 Any questions on any of those couple of
24 things that I touched on by any chance?

25 With Council, one of the other things

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1 that I wanted to bring up, which is a big issue,
2 is working from home. I think everybody has
3 understood what that has -- the challenges that
4 folks have had over the past couple years with
5 COVID. Now, as of January 1, 2022, you're going
6 to see companies large, small, whatever their
7 scale of business is, they're using more people
8 where they're working remotely, they're working
9 from home. And in my opinion, I would suspect
10 that the Village of Bratenahl is going to be the
11 benefactor of that.

12 So you may have a person who always
13 traveled to Downtown Cleveland paying two and a
14 half to Cleveland, then paying their one percent
15 to Bratenahl. However, if they're working from
16 home full-time, that full two percent now is
17 going to come to the Village of Bratenahl. So
18 not only are you getting the one percent charges
19 there, but you're getting another one percent on
20 top of that.

21 What we've been able to do is we've been
22 able to put some studies together and determine
23 where all of your folks work. Those are some
24 statistics I'll be able to give to Diana here in
25 the very near future. So if there's any

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1 questions on where people are working, how much
2 money could be allocated or reallocated back to
3 the Village, those are some numbers that we put
4 together.

5 Now, pre-COVID we were able to do an
6 analysis of 10 percent increase, 20 percent
7 increase and 30 percent increase depending on the
8 work from home statistics. Basically what we're
9 seeing right now is there are larger companies in
10 surrounding communities such as Cleveland,
11 Euclid, Beachwood, those companies are not
12 bringing their folks back. And those folks that
13 are not working in those communities anymore are
14 now working from home here in Bratenahl, which
15 we'll be seeing those increase in dollars.

16 So I think that it's going to be
17 twofold. I believe that there's going to be an
18 increase in dollars from those people
19 transitioning to a work-from-home environment,
20 then I also see from a compliance standpoint
21 where we're still going to be able to add
22 accounts and add revenues to the coffers of the
23 Village of Bratenahl come in 2022. So that's
24 something that we're very excited about.

25 We're super excited about our
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1 partnership that we've had over the year. Diana
2 has been such an asset to us and to me
3 personally. We communicate all the time with one
4 another. If there's anything that she needs, I'm
5 available to her as well as Dawn is as well, and
6 our members services department and also Council
7 is available as well.

8 We did bring a couple little folders
9 with some stuff in it just so you guys have it.
10 My card is in there. So again, I open up to
11 Council. If you have any questions, you're more
12 than welcome to contact me directly. I'll be
13 happy to answer any questions that you have.

14 With that, I'll open up the floor with
15 any questions.

16 MS. HOEFLING: I know employers can file
17 on behalf of the employee and the individuals can
18 file. How many employers are actually filing?
19 What's the percentage of employer versus
20 employee?

21 MR. THUNBERG: Sure. The amount of
22 withholding you get is only 22 percent from
23 withholding dollars. It's next to nothing for
24 net profits for corporate income tax, it's a very
25 small portion. So the lion's share of all of

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1 your income tax dollars are coming from your
2 residents. Then you do have -- I think it was
3 like about \$600,000 in 2021, or 22 percent that
4 came from withholding dollars.

5 Again, that could be also courtesy of
6 withholding, too. You may have an individual
7 that works in the City of Cleveland. They're
8 paying their two and a half percent to Cleveland
9 and then their employer is also withholding the
10 additional one percent for their residence tax
11 for the Village of Bratenahl.

12 MS. HOEFLING: Thank you.

13 MR. THUNBERG: Does anybody else have
14 any questions or comments?

15 MR. BENJAMIN: I think one of the
16 blessings that has come out of the transition to
17 RITA is that, you know, for the first time we're
18 able to get an annual estimate of revenues. And
19 certainly that helps during our budgeting process
20 being able to know how we're going to begin our
21 year, what we're going to get throughout the
22 year. And those are statistics, at least to my
23 knowledge, we've not been able to have in the
24 past, so for us that is a great thing.

25 Again, I want to thank -- we did this
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1 last year, but I want to thank Diana for her work
2 on this. Certainly transitioning to a whole new
3 collection agency is not an easy task, so I want
4 to thank you for your hard work on that.

5 MR. THUNBERG: We do really appreciate
6 it. We appreciate the partnership that we have
7 with the Village. I think it's a fantastic place
8 and partnership with RITA. And we're looking
9 forward to 2022. And, again, I'll continue to
10 keep Diana up-to-date on estimates or anything
11 that changes that's coming in the upcoming
12 months.

13 MR. BENJAMIN: Okay. Any other
14 questions?

15 MS. COOKS: I do have a comment. Thank
16 you very much, Brian, for coming. And it has
17 been a great transition and a great relationship
18 over this past 18 months. And so I really
19 appreciated any time I called you, you give me
20 whatever information I need and I appreciate it.

21 MR. THUNBERG: Thank you.

22 MS. HOEFLING: Thank you for being here.

23 MR. BENJAMIN: Thanks for coming.

24 MR. THUNBERG: Thanks very much and
25 congratulations on your new appointment to

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1 Council.

2 MS. HOEFLING: Thank you, Brian. I have
3 big shoes to fill.

4 MR. THUNBERG: Big shoes to fill? He's
5 sitting right here. He's okay. (Laughter.)
6 Well, thank you guys very much. We appreciate
7 your time. Again, my information is in on the
8 packet that you received. So again, you're more
9 than welcome to call me at any time with any
10 questions.

11 MR. BENJAMIN: Thank you, Brian.

12 MR. THUNBERG: Thank you so much.

13 MR. BENJAMIN: Next on the agenda is a
14 facilities presentation by DS Architects. As
15 those of you who have been here know that over
16 the last couple of meetings, at every meeting
17 we've been taking some time to hear presentations
18 by architects and engineering firms to look at
19 how we can best move forward with our study of
20 our facilities in the community.

21 And so I will ask you, I know you're
22 handing things out there, I'll ask you to
23 introduce yourselves and give an overview.

24 MR. MEYERS: I wanted to thank you for
25 the opportunity to come today and present in
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1 front of you our qualifications. And more
2 importantly, our approach to taking what's been
3 done in the past, which has been a lot, and
4 taking it to the next step forward.

5 I'm Jeff Meyers. I'm the owner of the
6 DS Architecture. And I'm also head of our Public
7 Safety Civic Architecture Group. So we have a
8 studio, we have five of them, but my studio works
9 specifically on these type of projects.

10 MR. PROS: I'm Eric Pros. I've been
11 with DS Architecture about 10 years now as
12 Director of Design. I'm also the Studio Director
13 for the adaptive historic preservation project,
14 so I understand there's buildings here we're
15 looking to adapt to reuse or preserve them for
16 the future. So Jeff and I work hand in hand with
17 a lot of safety projects as well. I'm happy to
18 be here tonight. Thank you.

19 MR. MEYERS: If you want to follow
20 along, we're on page 3. What you're not seeing
21 is there's a team behind us both at our office
22 and some engineers that we have on the team, work
23 with Epic Engineering pretty much my whole
24 career, which I have been in the industry for 24
25 years. I'm blessed to look younger than I

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1 actually am. Sometimes I need to say that,
2 because I've walked into the room before and I
3 see this look over my shoulder, where is the
4 architect at? I'm right here. And then THP,
5 they focus on historic buildings and facade
6 analysis.

7 A little history on the firm. The firm
8 was founded in 1983, by the founder David
9 Sommers. That's where the DS comes from. I
10 joined the firm in 2002, but I worked on my first
11 police station project and city hall project in
12 1998. And ever since then, I've been focused on
13 this type of work.

14 Eric has been with us since 2011. He's
15 had the honor to present at national conferences
16 on police stations and fire stations. So we like
17 to say we're local, we're out of Downtown
18 Cleveland, but we're nationally recognized for
19 this type of work.

20 The bottom right-hand corner you'll see
21 Westlake Community Center. It's a senior
22 community center. We thought that would be
23 important to highlight. We know that that's one
24 of the programming elements that will be part of
25 this study. That just opened up maybe six months
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1 ago. So it's very relevant. We'll be happy to
2 take you for a tour at some point.

3 On page 5, this is just in the last 10
4 years of being in the area, we worked in over 20
5 Northeastern Ohio communities. To your neighbor,
6 Euclid, we're doing an analysis of their three
7 five stations and their police station currently.
8 We're also working with the City of Cleveland as
9 the owners rep on their new police headquarters.
10 And then we work with townships, Bainbridge and
11 Brimfield Townships. We work from townships all
12 the way up to cities and, of course, with
13 villages.

14 I mentioned this, but you can see on
15 page 6 we are very active in the Ohio Association
16 Chiefs of Police. Don't want to talk about the
17 police too much, but you can never talk about
18 them enough. We know that that's a big critical
19 piece of that, where they might end up on the
20 three different sites as we understand it.

21 From reading through the history,
22 they're the only ones that haven't had a full
23 needs assessment done. So we want to make sure
24 that we focus on that. And that's why we think
25 we bring a value, because of our expertise in

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1 police, along with the city halls and community
2 centers.

3 On page 7, we have five studios. In
4 addition to the public safety studio, which is
5 mine -- does everybody have a copy?

6 Along with our public safety studio,
7 Eric mentioned his work in the historic
8 preservation studio adaptive reuse. He's been
9 recognized by the Cleveland Restoration Society
10 for the work we do on those. And then we also
11 have a hospitality and entertainment group that
12 would oversee some of the Community Center
13 functions.

14 When you think about it, the Community
15 Center entertains the public very similar to
16 maybe some other industry hospitalities. So
17 those all three studios all in-house, combine
18 them together, we think we can understand all the
19 different pieces and aspects of the project.

20 I often say everybody that comes and has
21 made it this far to talk to you has experience.
22 They all have a portfolio. And I want to talk
23 about what I think makes us a little different
24 and that's our core values. That's not a
25 marketing ploy. I talk about it to every

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1 potential client, every engineer we work with,
2 every contractor we work with and at the office
3 we talk about it.

4 So just quickly, our first core value is
5 variance. And in this scenario, when we built
6 this, when this gets to that point when we're
7 doing three different sites, on sites, we need to
8 be thinking that we're designing this for a
9 generation that's not even born yet. This
10 facility will outlive me and my children, my
11 grandchildren. So we want to be fair to the
12 architectural process that it takes to design a
13 facility that's going to last 50, 60, 70 years.

14 Trustworthiness, it's easy to say the
15 firm has been around since 1983. I joined in
16 2002. You can trust us, but that's not what we
17 mean. We believe in partnership with the
18 organizations and the communities we work with.
19 We trust you. We know that the answer to these
20 questions is somewhere in the middle of all of
21 our opinion. And that's what we trust. We trust
22 our engineers. We trust you. We don't take an
23 adversarial approach with this. Without you,
24 this will not be a successful project.

25 Now, convictions are clear. When we

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1 start with an architectural project, we're
2 starting with an issue we need to solve next. As
3 you start to solve that problem, you're going to
4 come up against other issues. When you come up
5 against those, we need to be excited about the
6 opportunity to solve it in a unique way. And
7 that's the way we attack issues and problems.

8 Fourth core value is Eric's
9 collaboration. He's in charge of making sure we
10 get together. As Director of Design, he wants to
11 get ideas from everyone. And our fifth one is
12 commitment to knowledge, always learning, always
13 teaching. We know that we need to learn about
14 your community in order to do a good job. Always
15 learning.

16 The last second before I turn it over to
17 Eric is what we call we listen, we lead, we
18 innovate. We'll focus in on this a little more,
19 but we understand there's been a lot of studies
20 done. And our job is to take those studies,
21 compile them and make a recommendation of how to
22 actually move forward.

23 We have a long history going into
24 communities that have been studying stuff.
25 Sometimes I call it paralysis by analysis.

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1 We've been able to take that and take them into
2 reality by doing the DS Architectural process.
3 So we understand that there are seven puzzle
4 pieces basically to this. There are three sites.
5 There's a police station, a city hall, the parks,
6 and the Community Center. And how those seven
7 pieces fit together, ultimately that's the puzzle
8 we are all going to solve.

9 MR. PROS: Thanks, Jeff. We'll talk a
10 little bit more about your project. I hope you
11 guys can hear me okay. If I need to move
12 somewhere for better acoustics, let me know.

13 Taking what Jeff is talking a little bit
14 further, I'm going to walk you through what our
15 process might look like. We resisted the urge to
16 start looking at ideas and start testing out
17 floor plans. That's obviously what we like to
18 do, but we didn't want to do too much before we
19 had a chance to talk to you guys. We'll talk
20 about your project. As Jeff mentioned, we know
21 it's not easy. You'll think there's a lot of
22 moving parts that need to be considered, so we'll
23 talk a little bit more about that.

24 I'm on page 11 here if you want to
25 follow along. There's graphics. Don't feel like

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1 you have to. I'm a visual person, so I like to
2 look at things as well.

3 As Jeff mentioned, we recognize that
4 there's been a number of studies that have been
5 done over the past few years or so. Our job now
6 is to not do another study with this. You've
7 done that enough. We need to take the studies
8 and turn them into something that's actionable
9 and gives you some good sounding board, something
10 to test your ideas against, but hopefully can
11 make some decisions and come to a resolution.

12 So we recognize that the police is one
13 of the big components, as Jeff mentioned. You're
14 looking for growth in the future, flexibility,
15 thinking ways to future proof your police
16 station. Technology is going to continue to
17 change. Trying to be mindful of how the
18 department will function 50 years from now. You
19 always have to think in these long-term scales if
20 you're looking at public buildings. You might
21 not have a chance to do this again for a very
22 long time, so we make sure we're thinking about
23 the future.

24 We know that there's, as Jeff said,
25 three different sites that you're considering:
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1 Where we are currently, the Village Hall, and
2 also the high school site. So all of them have
3 opportunities. All of them have challenges. Our
4 job is to help you decide where the best move
5 would be.

6 What we've done here, we did take a
7 little step beyond where we should have. One of
8 the things we like to do as part of our process
9 is define the goals of the project, critical
10 success factors. So it's really easy for us to
11 come up with ideas and different solutions, but
12 if we're guessing or we're shooting in the dark,
13 we'll never get to a solution that's really going
14 to help you guys. We start thinking about a
15 couple that we think are something we want to
16 definitely study. And I have four of them listed
17 here.

18 So thinking about community access, you
19 know where we are currently here, you're on one
20 side of the town. Is a more central location
21 advantageous, is something that's more connected
22 to the thoroughfares or transportation corridors
23 more effective. Thinking about how the community
24 gets to these buildings is important for us to
25 think about.

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1 The next one will be operational and
2 financial efficiencies. Are there advantages to
3 having some of these building components
4 together. Police and admin are now currently
5 together. Not ideal. You're in a facility that
6 was never designed for that. Should we be
7 thinking about a facility that is designed that
8 way or are they better off actually having their
9 own spaces to function out of. That's something
10 we'll think about.

11 Obviously there are some advantages from
12 a cost standpoint when you bring multiple people
13 in-house. You can share some functions, you can
14 share a conference room, you can share different
15 facilities, you know, are those worth the
16 tradeoffs back and forth. We want to think about
17 future development. If one of these three sites
18 is no longer needed for a city function, could it
19 be used for the city? Could the stakeholders be
20 beyond the city government, but are there future
21 development, residential development in the
22 future.

23 The other thing we want to do is we want
24 to think about the police. Again, as Jeff
25 mentioned, we do a lot of police work. We taught
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1 ourselves in that area, but every department is
2 different, every locality is difficult. We have
3 to give time to think about that and make sure
4 we're analyzing all of the moving parts.

5 MR. MEYERS: It's important to know that
6 we understand that, too, the Village schedule and
7 budget is a critical success factor. That's no
8 matter where we go. Those two things will be
9 critical, but these six things are things that
10 we're going to work with these four with you to
11 determine them. How do we know at the end of the
12 project that this was successful beyond budget,
13 beyond schedule? How do we know as a community,
14 as a Village, that this is successful?

15 MR. BENJAMIN: One question, while
16 you're at possibilities for future development,
17 you had mentioned possibilities for future use by
18 the Village or government entity.

19 Would you also look at potential future
20 use by a private developer?

21 MR. PROS: I think so.

22 MR. BENJAMIN: As a commercial?

23 MR. PROS: We recognize that there's not
24 a commercial component to the Village, but I
25 think if the lands were not needed anymore or if

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1 it was some kind of public partnership that could
2 be advantageous, certainly. We're not interested
3 in maintaining property that has a higher and
4 better use some other way.

5 MR. BENJAMIN: As part of this process,
6 would you be able to do a cost benefit analysis?

7 MR. MEYERS: So we actually started
8 that. That's the thing, how much do we want to
9 show you before we start the process.

10 MR. BENJAMIN: Okay.

11 MR. MEYERS: We worked with a gentleman
12 who comes from GBX, he's here in Cleveland, but
13 they take old buildings and look at them from a
14 private standpoint. Something like this could be
15 eligible for tax credits for a private developer,
16 not for the Village. So this site in particular
17 could have a big return on investment that we
18 started talking about. So yes, that would be
19 part of this. It will be a cost analysis, a
20 benefit analysis, a risk analysis.

21 MR. BENJAMIN: Thank you.

22 MR. PROS: That's a great point. This
23 is why we want to be in the room to have
24 discussions about the opportunities.

25 MR. MEYERS: Interrupt any time.
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1 MR. PROS: Absolutely. And thinking
2 about each of the departments, I'm thinking these
3 critical success factors here in umbrella terms,
4 but thinking about the police station or any of
5 these, they're going to have their own critical
6 success functions. Thinking about just providing
7 a space that gives dignity for the officers
8 coming on duty. You need a facility. It doesn't
9 have to be fancy, but you want them to feel
10 respected and honored, thinking about the level
11 of service to the community. Does your
12 facility --

13 MR. TAYLOR: Please speak up.

14 MR. PROS: Sorry. What I'm saying is
15 each of the departments will have their own
16 success factors as well.

17 We'll flip to the next page here. Sorry
18 I'm talking too much. Jeff mentioned our
19 process. This is listen, lead and innovate
20 process. The listening starts now. We met with
21 the Mayor, done some research, done some digging,
22 but we really want think about all of you and go
23 back and validate those reports that were done
24 previously. Make sure tat the information that
25 was put out 20 years ago is still relevant, that

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1 things haven't changed. So that listening
2 process will start right away.

3 The leadership part is us helping you
4 make decisions, helping you present information,
5 make it easy to understand, that's our leisure
6 process. And innovation is going to come about,
7 as it always done with every project, there's
8 never one perfect solution. There's going to be
9 tradeoffs, there's going to be decisions that
10 need to be made. And that's when the innovation
11 comes in. Are there creative ideas for how to
12 use this building as Jeff was saying.

13 Is there something not in the reports
14 yet we can start to uncover a little bit. That's
15 the innovation that gets me excited as the
16 Director of Design. You start a project out.
17 You always think you know where it's going to go,
18 but there's always twists and turns along the way
19 that provide opportunities for innovations. So
20 that's what we do.

21 I'll walk you through the steps of what
22 that might look like. I'm on page 14 here.

23 These are generic to paint a picture of what this
24 process will look like. We're targeting August
25 as a place to be done with our report so we can

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1 put something in your hands. If you need to put
2 something on a ballot or something to be decided,
3 it gives you a couple months to do that before
4 November. So August is circled on our calendar
5 as a target date. So it gives us several months
6 to walk this project through and we won't be
7 rushing.

8 We want to start by validating
9 information. There's several hundred pages of
10 documentation. We do that with you guys and make
11 sure that that all still is valid. And then
12 places where there's gaps or information that's
13 not provided yet, make sure we sit down and have
14 interviews with the Police Department, with other
15 folks that weren't in part of those reports
16 previously.

17 So this is a couple images of us talking
18 to fire chiefs, talking to police chiefs, talking
19 to mayors and getting everyone's opinions so we
20 can get all that information and start to
21 evaluate it.

22 Next we're going to start doing some
23 envision. Flip to page 15 here. This is what
24 your neighbors up to the north in Euclid and also
25 out in Newbury Township, we're working with them

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1 on their fire station currently. So we welcome
2 involvement as much as you guys would like, but,
3 you know, from the citizens, from the various
4 stakeholders in these organizations, we want to
5 hear people's ideas. It helps them get brought
6 into the idea. If you ever did need to go on a
7 ballot, I think people feeling heard and feeling
8 involved only helps create the civic pride and
9 energy that you need for a project to be
10 successful.

11 MR. MEYERS: One of the values we bring
12 is if you have to go to the ballot is we've been
13 through a process a lot. We have a tested
14 approach that has a very successful pass rate. I
15 can't guarantee it, but we've never had a
16 community not get it passed. Some of them had to
17 go a second time, but we've never had somebody
18 shelf a project. This approach is pretty simple.
19 We can go over that in more detail if you like,
20 but that's something that we bring a value to
21 this project from our experience.

22 MS. HUFFMAN: I would have really liked
23 to have heard that.

24 MR. MEYERS: Do you want to hear that
25 now?

1 MS. HUFFMAN: Not now.

2 MR. PROS: In general terms, it is our
3 listening process. You listen. Then you lead
4 through a process to arrive at answers. Then
5 innovation is where you start to do some of the
6 tradeoffs. It's basically that at a larger
7 scale.

8 MR. MEYERS: It's empowering your
9 community to take ownership of the project.
10 That's the summary of what we will do.

11 MR. PROS: Flip to the next page here.
12 So next step after we do this visioning,
13 listening a step further, is to kind of get into
14 leadership and looking at programming. Each of
15 the spaces that you identified that needs to be
16 represented in this final solution, we're going
17 to pull that apart a little bit, figure out what
18 the needs really are. It's kind of tiny, but
19 start looking at the spaces.

20 Are there opportunities for there to be
21 shared or do you really need some privacy and
22 separate things? I know the Mayor's office
23 currently, it's not ideal, but everyone is kind
24 of in the mix there, probably not ideal, but
25 maybe there is an operational efficiency that

1 comes about by having people next door to each
2 other, something we want to think about.

3 Part of this also, every single room
4 makes a room data sheet. Does it need power?
5 Does it need a projector for people like us that
6 forgot to bring ours today. All of those needs
7 that the rooms need to function properly. We'll
8 have a list of those things. It's a wish list.
9 We'll start off with what we want and then we'll
10 come down to what's reasonable, what's fair,
11 what's the right approach. So the programming
12 phases really is where we start to talk about
13 specifics of the spaces and how those start to
14 make sense.

15 Next what we'll do, we'll come up with
16 an initial report. It has a chance for you guys
17 to give us feedback, kind of work through that,
18 make sure that we're addressing all the items,
19 kind of a rough draft, if you will. If we had to
20 pick a time, say July or something, give a month
21 for us to come back and forth, make sure we're
22 really understanding the story.

23 Here you see a couple ideas. We did a
24 civic campus for the City of Kent on the left
25 there, so looking at how the new police station

1 was going to fit on that site, how it interacts
2 with the college. There's a lot of different
3 functions there you're looking at. We'll start
4 off big picture and really drill into some of the
5 details.

6 MR. MEYERS: They had 13 sites we
7 studied for them.

8 MR. PROS: We found a good one for them
9 finally.

10 MR. MEYERS: That was fun.

11 MR. PROS: On the right here this is the
12 Village of Tallmadge. They have a new fire
13 station and they're building a new roundabout.
14 So if some of you know Tallmadge, they have that
15 one big roundabout in the middle of the city.
16 They're going to propose another one here. So
17 how does that start to change that community,
18 that neighborhood? Is it going to feel a lot
19 different with that traffic pattern. So thinking
20 about all the impacts that decision has as part
21 of our process there.

22 MR. MEYERS: As we move into the next
23 step, which is the final document, I always say
24 if an architect doesn't challenge a community and
25 its leadership to think differently, they're not

1 worth what you're paying them. So we will
2 challenge you. We may not always agree with all
3 of you, we can't always lead by consensus, so
4 we're going into this with open eyes.

5 We don't have a preconceived idea of
6 where this is going to end up, but we will lead
7 you through a process together where there will
8 be tangible actionable items. And that's what
9 that final document will tell you and your
10 community from our professional opinion on how to
11 move forward from a lot of years and a lot of
12 community experience.

13 I think it's important to know that
14 we're walking in here with eyes wide open.
15 There's been a lot done that's good that will
16 help us build this case to where we go, but
17 ultimately it's going to be a lot of discussion
18 and interaction.

19 MR. PROS: An image here is just kind of
20 a diagram we looked at, Kent's new police
21 station. The site that they chose responded to
22 the college, responded to the historical
23 downtown, it responded to the commercial downtown
24 district and the residential areas, so there's a
25 lot of input. The whole city is really kind of

1 represented for the site that they chose. So
2 just examining those impacts the site has and how
3 that building reflects on the community.

4 As Jeff said, the final report will
5 hopefully give you at least not one
6 recommendation but a culmination of all these
7 ideas into something that should make things a
8 little less murky, right? Clear the mud a little
9 for you guys. At the end of the day, the final
10 slide here, what we strive to do is inspire
11 together. As Director of Design that's what's
12 get me excited every day to go to work is working
13 with folks like you guys, to envision the future
14 and inspire you guys to think about facilities.

15 So if you have any questions, happy to
16 answer anything you might have. Thank you for
17 your time tonight.

18 MR. MEYERS: We're both Kent State
19 University grads. We do work at the University
20 and for the city.

21 MS. HUFFMAN: So that was the new
22 detail?

23 MR. MEYERS: Our firm was part of the
24 new downtown development. We were part of the
25 two phases of that document and part of the city

1 campus down there.

2 MS. HUFFMAN: You all got good reviews.
3 I sat with some people from that. They love
4 that. I frequent Kent regularly and so to see
5 the way it used to be to what it is now.

6 MR. PROS: Amazing.

7 MS. HUFFMAN: Yes.

8 MR. PROS: When I first went to college,
9 none that was there. It's amazing to be there.
10 And it's one of those things you don't realize
11 how fast it's growing when you're right there
12 watching it. When you take a step back, you see
13 how far it's going.

14 MR. BENJAMIN: All right. Thank you,
15 Jeff and Eric. We appreciate you giving your
16 presentation tonight. Before we adjourn this
17 part of the meeting, any other questions from
18 members of Council? Thank you very much.

19 So our next step in this process will be
20 to probably have another Committee of the Whole
21 meeting sometime in February where we can sit
22 down. And I believe this was the third and last
23 of the proposals from prospective architect and
24 engineering firms. So we can have a discussion
25 about the proposals and then make a decision on

1 how we would like to move forward. So thanks
2 again, DS Architects.

3 Moving forward with the next part of our
4 agenda, we're going to the recreation fee
5 schedules proposed for 2022. And I know that Sue
6 is here.

7 MS. CAPELLO: Sue is here.

8 MR. BENJAMIN: The only major change
9 that I saw compared to the previous rate sheet is
10 the addition or actually the additional \$10 an
11 hour for a police officer. So we're going from
12 \$40 an hour to \$50 an hour; is that correct?

13 MS. CAPELLO: Yes.

14 MR. BENJAMIN: And then the garden plot
15 fee of \$25 has been memorialized in this document
16 as well.

17 MS. CAPELLO: Yes.

18 MR. BENJAMIN: And then I noticed that
19 the setup time, the free setup time has jumped
20 from two hours to three hours?

21 MS. CAPELLO: Yes.

22 MR. BENJAMIN: Did I miss anything?

23 MS. CAPELLO: Yes. (Laughter.) For
24 like wine and beer tasting, it was \$20. It's
25 going up to 30.

1 MR. BENJAMIN: \$30. Okay.
 2 MS. CAPELLO: And that's it.
 3 MR. BENJAMIN: Thank you. Any
 4 discussion on the new rate sheet? If none, can I
 5 have a motion to entertain the acceptance of the
 6 Community Center rental prices for 2022?
 7 MR. McDONALD: So move.
 8 MR. TAYLOR: Second.
 9 MR. BENJAMIN: It's been moved and
 10 seconded. Roll call.
 11 MS. COOKS: Mr. Benjamin?
 12 MR. BENJAMIN: Aye.
 13 MS. COOKS: Ms. Burke-Jones?
 14 MS. BURKE-JONES: Aye.
 15 MS. COOKS: Ms. Hoefling?
 16 MS. HOEFLING: Aye.
 17 MS. COOKS: Ms. Huffman?
 18 MS. HUFFMAN: Aye.
 19 MS. COOKS: Mr. McDonald?
 20 MR. McDONALD: Aye.
 21 MS. COOKS: Mr. Taylor?
 22 MR. TAYLOR: Aye.
 23 MR. BENJAMIN: The next item on the
 24 agenda are Resolutions 1241 and 1242. Resolution
 25 1241 is a resolution authorizing the Mayor to
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1 renew the Village architect services agreement
 2 with Van Auden Akins Architects, LLC for
 3 architect and related services and declaring an
 4 emergency.
 5 And looking at the agreement, it is
 6 basically extending the agreement from the
 7 previous years and the cost has not increased.
 8 The cost is not to exceed \$20,000.
 9 Is there any discussion regarding this
 10 piece of legislation.
 11 MS. HOEFLING: One question. For the
 12 rates on the last sheet, they go through 2020.
 13 Do we have to charge hourly rates above the
 14 20,000? Do we have the hourly rates -- on the
 15 hourly rate sheet that was included, if we have
 16 pay an hourly rate above the 20,000, do you have
 17 what the hourly rates are?
 18 MR. BENJAMIN: That's a good question.
 19 Provided to us was a rate sheet that had, I
 20 believe, 2019 hourly rates and 2020 hourly rates.
 21 We don't have any additional hourly rates
 22 reflecting 2022 rates.
 23 Are we aware if 2022 rates would be the
 24 same as they were in 2020 and 2021?
 25 MR. MATTY: Mr. President, my
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1 understanding from the Mayor is the rates stay
 2 the same. The only instruction given me was to
 3 extend it to 2022. No instruction on any
 4 increased rate. So if you pass this this evening
 5 here in the regular meeting, it's on the
 6 understanding that the rates are the same as '19
 7 and '20.
 8 MR. BENJAMIN: Thank you. So noted in
 9 the minutes.
 10 Any other questions? Conversation?
 11 Hearing none, can I have a motion to move forward
 12 with this item on the agenda?
 13 MR. MATTY: For recommendation.
 14 MR. BENJAMIN: Recommendation. I'm
 15 sorry, recommendation.
 16 MS. BURKE-JONES: I so move.
 17 MR. McDONALD: Second.
 18 MR. BENJAMIN: It's been moved and
 19 seconded. Roll call.
 20 MS. COOKS: Mr. Benjamin?
 21 MR. BENJAMIN: Aye.
 22 MS. COOKS: Ms. Burke-Jones?
 23 MS. BURKE-JONES: Aye.
 24 MS. COOKS: Ms. Hoefling?
 25 MS. HOEFLING: Aye.
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1 MS. COOKS: Ms. Huffman?
 2 MS. HUFFMAN: Aye.
 3 MS. COOKS: Mr. McDonald?
 4 MR. McDONALD: Aye.
 5 MS. COOKS: Mr. Taylor?
 6 MR. TAYLOR: Aye.
 7 MR. BENJAMIN: Okay. Next is resolution
 8 1242, a resolution authorizing the Mayor to enter
 9 into a management consultant agreement with
 10 Clemans Nelson & Associates, Inc. for management
 11 and/or fiscal consulting services in labor,
 12 employment and other areas as might be requested
 13 and declaring an emergency.
 14 This, again, like with the Van Auden
 15 Akins agreement authorizes us to continue our
 16 agreement, consultant agreement with our HR, our
 17 current HR firm. The fees have not changed.
 18 They remain at \$175 per month for the year. And
 19 then you'll see on page 1 of 4 there is the
 20 agreement. The additional consulting
 21 professional service prices remain the same as
 22 last year as well.
 23 Are there any questions regarding the
 24 Clemans Nelson & Associates agreement?
 25 Hearing none, is there a recommendation
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1 for passage tonight at the Council meeting?
 2 MR. McDONALD: So move.
 3 MR. TAYLOR: Second.
 4 MS. BURKE-JONES: Second.
 5 MR. BENJAMIN: Thank you. It's been
 6 moved and seconded. Roll call.
 7 MS. COOKS: Mr. Benjamin?
 8 MR. BENJAMIN: Aye.
 9 MS. COOKS: Ms. Burke-Jones?
 10 MS. BURKE-JONES: Aye.
 11 MS. COOKS: Ms. Hoefling?
 12 MS. HOEFLING: Aye.
 13 MS. COOKS: Ms. Huffman?
 14 MS. HUFFMAN: Aye.
 15 MS. COOKS: Mr. McDonald?
 16 MR. McDONALD: Aye.
 17 MS. COOKS: Mr. Taylor?
 18 MR. TAYLOR: Aye.
 19 MR. BENJAMIN: One of most important
 20 ordinances on the agenda tonight is the ordinance
 21 confirming the appointment by the Mayor of Joseph
 22 Zalar as Street Commissioner for the year 2022,
 23 and declaring an emergency.
 24 Mr. Zalar, do you want to give it
 25 another year?

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1 MR. ZALAR: Sure.
 2 MR. BENJAMIN: So are there any
 3 questions for Joe?
 4 Okay. Hearing none, is there a
 5 recommendation for passage at the next Council
 6 meeting?
 7 MR. McDONALD: So move.
 8 MS. BURKE-JONES: Second.
 9 MR. BENJAMIN: It's been moved and
 10 seconded. Roll call, please.
 11 MS. COOKS: Mr. Benjamin?
 12 MR. BENJAMIN: Aye.
 13 MS. COOKS: Ms. Burke-Jones?
 14 MS. BURKE-JONES: Aye.
 15 MS. COOKS: Ms. Hoefling?
 16 MS. HOEFLING: Aye.
 17 MS. COOKS: Ms. Huffman?
 18 MS. HUFFMAN: Aye.
 19 MS. COOKS: Mr. McDonald?
 20 MR. McDONALD: Aye.
 21 MS. COOKS: Mr. Taylor?
 22 MR. TAYLOR: Aye.
 23 MR. BENJAMIN: Okay. Moving on,
 24 Ordinance 4131 is an ordinance enacting and
 25 adding section 161.07 of the Administrative Code

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1 to create the position of Chief Magistrate of
 2 Mayor's Court and declaring an emergency.
 3 So I am going to ask for some additional
 4 information about the creation of this position.
 5 It's my understanding that the chief, that there
 6 have been several magistrates over the course of
 7 the years. And that we're now creating the
 8 position of Chief Magistrate. And sort of the
 9 Mayor's role with Mayor's Court has changed a
 10 little bit.
 11 Is there someone who could give an
 12 update on that?
 13 MR. MATTY: Mr. President Pro Tem, the
 14 only update I have for you is that this follows
 15 an instruction by e-mail given to me by the
 16 Mayor. As far as the position, the pay and the
 17 duties, since I believe the understanding is that
 18 the Mayor will -- Diana, you can correct me if
 19 you know anything else, but the Mayor will step
 20 back from a time standpoint on his work at
 21 Mayor's Court.
 22 MS. COOKS: The Mayor has stepped back.
 23 He did not sit on the bench at all in 2021.
 24 MR. MATTY: So what you have before you
 25 is exactly what I received in an e-mail from him.

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1 I've added no editorial, other than making sure
 2 that the position was set in the code as far as
 3 the Mayor's Court chapter and that the salary
 4 that he indicated would be what's in the next
 5 ordinance and appointment for the Chief
 6 Magistrate. That's all I have.
 7 MR. BENJAMIN: Thank you. Any
 8 discussion by councilmembers on this issue?
 9 MR. McDONALD: It is what it is.
 10 MR. BENJAMIN: Fair enough. I think
 11 certainly as the Mayor has stepped back from the
 12 Mayor's Court, it makes sense, and I've seen it
 13 in other courts as well, having a Chief
 14 Magistrate.
 15 So with that, can I have a
 16 recommendation for passage at city council?
 17 MS. HUFFMAN: I'm sorry, I just have a
 18 question. So when it is discussed that the Mayor
 19 is stepping back from Mayor's Court, does that
 20 mean that the Chief Magistrate will be taking
 21 over those duties.
 22 MR. BENJAMIN: That's my understanding,
 23 yes.
 24 MR. MATTY: Yes.
 25 MR. BENJAMIN: Yes.

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1 MS. HUFFMAN: Okay.

2 MR. MATTY: In fact, Councilwoman, if
3 you look at some of the Mayor's Court as maybe
4 Mr. Benjamin will also comment on, as an example,
5 my Mayor's Court in Brecksville has two
6 magistrates. And the Mayor only attends the
7 Mayor's Court when those magistrates are not
8 available.

9 And I think the theory is that the
10 magistrates are one step removed from the
11 government. And so they are properly trained,
12 because they have to go through the Ohio Supreme
13 Court training process and be certified, but
14 they're one step away from a Mayor who is running
15 the community and these people are running a
16 court, which is a little different entity than
17 running the community. And so this would fall in
18 line with what you would find in our local
19 Mayor's courts, I believe, Mr. President Pro Tem.

20 MR. BENJAMIN: Yes.

21 MR. MATTY: If you have that on the east
22 side, I know we have that on the southwest side
23 where Mayors step back. And there are actually
24 attorneys, who are trained, who are handling the
25 Mayor's Court.

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1 MR. BENJAMIN: I would prefer, in my
2 opinion, this is a positive development. And I
3 see no reason not to move forward with naming a
4 Chief Magistrate.

5 MS. HUFFMAN: Thank you.

6 MR. BENJAMIN: So with that, is there a
7 recommendation to move this for consideration at
8 tonight's Council meeting?

9 MR. TAYLOR: So move.

10 MS. HUFFMAN: Second.

11 MR. BENJAMIN: Roll call, please.

12 MS. COOKS: Mr. Benjamin?

13 MR. BENJAMIN: Aye.

14 MS. COOKS: Ms. Burke-Jones?

15 MS. BURKE-JONES: Aye.

16 MS. COOKS: Ms. Hoefling?

17 MS. HOEFLING: Aye.

18 MS. COOKS: Ms. Huffman?

19 MS. HUFFMAN: Aye.

20 MS. COOKS: Mr. McDonald?

21 MR. McDONALD: Aye.

22 MS. COOKS: Mr. Taylor?

23 MR. TAYLOR: Aye.

24 MR. BENJAMIN: So the next item on the
25 Committee of the Whole agenda is Ordinance 4132.

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1 However, this is really a finance issue. And
2 we're having this Committee of the Whole meeting,
3 I guess, in lieu of finance. This was added to
4 it in lieu of finance.

5 Chairman McDonald, do you want me to
6 move forward with this or would you like to move
7 forward with the next two ordinances? So we have
8 this, the magistrate salaries and then we have
9 pay claims.

10 MR. McDONALD: The magistrate salaries
11 we just did that, 4131.

12 MR. BENJAMIN: 4132 now sets the salary
13 for the appointment.

14 MR. McDONALD: Oh, okay.

15 MR. BENJAMIN: Since it's financial, I
16 just wanted to defer to you in case you wanted to
17 manage these.

18 MR. McDONALD: Go right ahead.

19 MR. BENJAMIN: Thank you. So Ordinance
20 4132 is an ordinance confirming the appointment
21 by the Mayor of Chuck Bauernschmidt as Chief
22 Magistrate of Mayor's Court with duties as set
23 forth in Codified Ordinance 161.07 with such
24 appointment effective January 19, 2022, and
25 declaring an emergency.

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1 You will see that in Section 2 effective
2 January 19, 2022, the Chief Magistrate of Mayor's
3 Court shall be paid at a rate of \$250 per hour
4 for performing the duties as described in
5 Section 2 hereof.

6 In looking at what we were paying
7 magistrates in the past, they were paid \$200 an
8 hour. I could see the intent of paying
9 additional, some additional funds per hour if
10 someone is going to be serving in a new position
11 of Chief Magistrate. In looking at some of the
12 other Mayor's Courts just doing a cursory search,
13 you know, typical salaries range anywhere from
14 \$6,500 up to over \$10,000 a year.

15 The \$250 increase would amount to
16 approximately \$1,300 a year additional to the
17 Village for the cost, for the cost of this.
18 Seeing that the range is somewhere right in the
19 middle, I wanted to collect input from members of
20 Council and see where you're at with this.

21 MS. BURKE-JONES: I do have a question.

22 MR. BENJAMIN: Okay. Go ahead.

23 MS. BURKE-JONES: I do notice in the
24 services in the prior ordinance, the services
25 that this position will be taking over, a lot of

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1 this looks like it is not during court hours.
 2 And so would they be charging during
 3 those times or the hours would just be the
 4 typical court hours that's within? Do you
 5 understand what I'm saying?
 6 MR. BENJAMIN: Yeah. And that's the
 7 difference, if the Mayor is truly stepping down
 8 and separating, if the idea is to separate the
 9 Mayor and sort of the perceived political side of
 10 the Mayor's Court from the adjudication of the
 11 court docket and the magistrate is handling the
 12 scheduling of the meetings with court personnel
 13 and scheduling other scheduling and duties that
 14 the Mayor would have done, then I'm okay with it.
 15 MS. BURKE-JONES: Conducting ongoing
 16 court policies of procedures, that usually would
 17 not be done, is not being done during the court
 18 hours.
 19 MR. BENJAMIN: Right.
 20 MS. BURKE-JONES: So I'm just
 21 clarifying. Does this salary still only apply to
 22 while these services are being provided, but he
 23 is billing only for hours of court or are they
 24 billing additional hours, you know, throughout?
 25 MR. BENJAMIN: There are a couple of
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1 options that other cities have done that I've
 2 seen. One is instead of -- generally magistrates
 3 in small Mayor's Courts are paid per session or
 4 per hour. Those are two different things. And
 5 so, you know, I guess a way to consider it is one
 6 of three things. Either we go forward with an
 7 hourly rate and assuming that outside of court
 8 there are additional hours; the second one is
 9 paying a rate per session; and the third one is
 10 then to consider a salary, a straightforward
 11 yearly salary for a Chief Magistrate.
 12 MS. BURKE-JONES: I'm trying to figure
 13 out in looking at these services, I'm trying to
 14 figure out how this salary works. Can you
 15 clarify anything, Diana?
 16 MS. COOKS: May I.
 17 MR. BENJAMIN: Please.
 18 MS. COOKS: I have not witnessed in my
 19 time employed with the Village that there is much
 20 additional work outside of the court day. So
 21 court generally starts at five. I've known the
 22 person who acts in the administrative role to get
 23 there at 4 to make sure that the cases are
 24 aligned and to speak with the Clerk of Court to
 25 make sure that they're on the same page for the
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1 process for the day.
 2 So I believe the answer to your question
 3 is it would not be at a \$250 rate at another time
 4 outside of court.
 5 MS. BURKE-JONES: Okay. So you perceive
 6 it's just during court hours.
 7 MS. COOKS: It's just during court.
 8 I've never paid a magistrate for time other than
 9 court.
 10 MS. BURKE-JONES: Okay.
 11 MR. TAYLOR: I just think the hourly
 12 rate is probably the fairest way to go.
 13 MR. McDONALD: Given that, I will move
 14 approval of that.
 15 MR. BENJAMIN: Okay. So we're moving to
 16 recommend consideration to Council. Is there a
 17 second?
 18 MS. HUFFMAN: Second.
 19 MR. BENJAMIN: It's been moved and
 20 seconded. Roll call.
 21 MS. COOKS: Mr. Benjamin?
 22 MR. BENJAMIN: Aye.
 23 MS. COOKS: Ms. Burke-Jones?
 24 MS. BURKE-JONES: Aye.
 25 MS. COOKS: Ms. Hoefling?
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1 MS. HOEFLING: Aye.
 2 MS. COOKS: Ms. Huffman?
 3 MS. HUFFMAN: Aye.
 4 MS. COOKS: Mr. McDonald?
 5 MR. McDONALD: Aye.
 6 MS. COOKS: Mr. Taylor?
 7 MR. TAYLOR: Aye.
 8 MR. BENJAMIN: Thank you. Finally, on
 9 the Committee of the Whole agenda tonight is
 10 Ordinance 4133. These are our monthly pay
 11 claims. I did look through and review these
 12 prior to coming to the meeting today. I don't
 13 have an eagle eye like Councilman Puffenberger
 14 did, but I didn't see anything to me that
 15 initially stood out.
 16 Total pay claims for the month came to
 17 \$135,648 and I think that's says 64 cents.
 18 MS. COOKS: Yes.
 19 MR. BENJAMIN: Are there any comments or
 20 questions regarding pay claims this month?
 21 MS. BURKE-JONES: No.
 22 MR. BENJAMIN: Hearing none, is there a
 23 recommendation?
 24 MR. McDONALD: Move approval.
 25 MR. TAYLOR: Second.
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1 MR. BENJAMIN: Moved and seconded. Roll
 2 call.
 3 MS. COOKS: Mr. Benjamin?
 4 MR. BENJAMIN: Aye.
 5 MS. COOKS: Ms. Burke-Jones?
 6 MS. BURKE-JONES: Aye.
 7 MS. COOKS: Ms. Hoefling?
 8 MS. HOEFLING: Aye.
 9 MS. COOKS: Ms. Huffman?
 10 MS. HUFFMAN: Aye.
 11 MS. COOKS: Mr. McDonald?
 12 MR. McDONALD: Aye.
 13 MS. COOKS: Mr. Taylor?
 14 MR. TAYLOR: Aye.
 15 MR. BENJAMIN: Okay. Before we move
 16 forward, are there any comments or questions from
 17 members of the public this evening?
 18 Hearing none, is there a motion to
 19 adjourn the Committee of the Whole meeting?
 20 MS. BURKE-JONES: I so move.
 21 MS. HOEFLING: Second.
 22 MR. McDONALD: Second.
 23 MR. BENJAMIN: Roll call.
 24 MS. COOKS: Mr. Benjamin?
 25 MR. BENJAMIN: Aye.

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1 CERTIFICATE
 2
 3
 4 I, Nancy L. Molnar, do hereby certify that
 5 as such Reporter I took down in Stenotypy all of
 6 the proceedings had in the foregoing transcript;
 7 that I have transcribed my said Stenotype notes
 8 into typewritten form as appears in the foregoing
 9 transcript; that said transcript is the complete
 10 form of the proceedings had in said cause and
 11 constitutes a true and correct transcript therein.
 12
 13
 14
 15 Nancy L. Molnar
 16 Nancy L. Molnar, Notary Public
 17 within and for the State of Ohio
 18
 19 My commission expires July 15, 2023.
 20
 21
 22
 23
 24
 25

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1 MS. COOKS: Ms. Burke-Jones?
 2 MS. BURKE-JONES: Aye.
 3 MS. COOKS: Ms. Hoefling?
 4 MS. HOEFLING: Aye.
 5 MS. COOKS: Ms. Huffman?
 6 MS. HUFFMAN: Aye.
 7 MS. COOKS: Mr. McDonald?
 8 MR. McDONALD: Aye.
 9 MS. COOKS: Mr. Taylor?
 10 MR. TAYLOR: Aye.
 11 MR. BENJAMIN: Committee of the Whole
 12 meeting is adjourned. Do we need a break at all?
 13 We'll take a couple minute break before starting
 14 the regular meeting.
 15 (Meeting adjourned at 6:51 p.m.)
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